(3)

(42)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION No. 168 /2006 SINGLE BENCH

PETITIONERS

1 Vishnu Das Mahant, S/o. Shri Bhaku Lal Mahant, Aged about 30 years, Occupation-Service, R/o. Rammandir, Sitamani, Korba (C.G.)

2. Yogeshwar Prasad Soni, S/o. Jagat Ram Soni, Aged about 36 years, Occupation-Service, R/o. Purani Basti, Korba (C.G.)

3. Ahibaran Lal Sahu, S/o. Fagulal Sahu, Aged about 32 years, R/o. Ompur, Rajgamar, Korba (C.G.)

VERSUS

RESPONDENTS

1. Personnel Manager, S.E.C.L. Rajgamar Colliery, District Korba (C.G.)

2. Deputy General Manager, S.E.C.L. Rajgamar Colliery, Korba (C.G.)

3. Sub Area Manager, S.E.C.L. Rajgamar Sub Area, Korba (C.G.)

4. Mines Superintendent, S.E.C.L. Rajgamar Sub Area, Korba (C.G.).

5. South Eastern Coalfields Limited, Through Chairman-cum-Managing Director, Basant Vihar, Seepat Road, Bilaspur (C.G.).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(42)

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI SATISH K. AGNIHOTRI, J.

WRIT PETITION NO. 1068 OF 2006

Petitioners : Vishnu Das Mahant & Others

versus

Respondents : Personnel Manager, Rajgamar Colliery & Others

Present : Shri Ashok Kumar Shukla, counsel for the petitioners.
Dr. N.K. Shukla, senior counsel with Shri P.S. Koshy, counsel for the respondents.

ORAL ORDER
(27th June, 2006)

1. The petitioners were initially appointed as Loaders (PR) and thereafter, on the basis of their option they were given time rated job as General Mazdoor Category-I. By order dated 2.12.2005 (Annexure P-6) the petitioners were reverted back to the Piece Rated category.

2. The petitioners have filed this petition impugning the order dated 2.12.2005 on the ground that no opportunity of hearing was given to the petitioners before the impugned order was passed. This Court while issuing notice on 24.3.2006 stayed the operation of the impugned order dated 2.12.2005, if the same was not acted upon, during pendency of this matter. During pendency of this case, a memorandum of settlement was arrived between the management of S.E.C.L. and the S.E.C.L. Steering committee member under Rule 58 (4) of the Industrial Dispute Rules, 1957 on 25th May, 2006. The settlement is taken on record.

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3. In the said Memorandum of settlement dated 25.5.2006, grievances of the petitioners were also taken care of. Admittedly, the settlement has taken place out of the Court.

4. In view of the said settlement dated 25th May, 2006, nothing survives in this matter. Hence, the petition is accordingly disposed of. No order as to costs.

Sd/-
Satish K.Agnihotri
Judge